ENROLLED BILL

Committee Sub. for

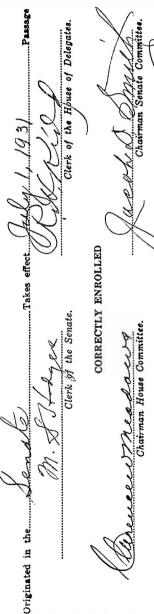
Senate Bill No. 46

Originating in the Committee on the

(By Mr.) udiciary

Passed March 11, 1931

In Effect / uly 1, 1931 Passage



ENROLLED BILL

(Com. Sub. for S. B. No. 46)

[Passed March 11, 1931; to take effect from July 1, 1931.]

AN ACT to amend and re-enact section eleven of article one of chapter thirty-nine of the code of West Virginia relating to the recordation of writings and plats and papers annexed.

Be it enacted by the Legislature of West Virginia:

That section eleven of article one of chapter thirty-nine of the code of West Virginia be amended and re-enacted so as to read as follows:

Section 11. Every writing authorized by law to be recorded,

2 when admitted to record, shall, with all certificates of acknowl
3 edgment, and all plats, schedules and other papers thereto annex
4 ed or thereon indorsed, be recorded by, or under the direction of,

5 the clerk of the county court, in a well-bound book, to be care-

Chairman Senate Committee.

6 fully preserved; and there shall be an index to such book as 7 well in the name of the grantee as of the grantor. After being 8 so recorded, such writing may be delivered to the party entitled 9 to claim under the same. If there appear upon such writing, or 10 any paper or certificate annexed thereto, any interlineation. 11 erasure or alteration, of which no memorandum is contained in 12 the writing, paper or certificate, the clerk shall append to the 13 record thereof a memorandum describing as accurately as may 14 be such interlineation, erasure or alteration; and such memoran-15 dum shall be copied into every certified copy of such writing, 16 paper or certificate. Every such memorandum, or a duly cer-17 tified copy thereof, shall be prima facie evidence of what is 18 therein stated: Provided, however, That the clerk of the county 19 court may refuse to accept for recordation any printed instru-20 ment printed in whole or in part in smaller than ten point type 21 with at least two points separating each line. Any failure of 22 such instrument to be so accepted by the clerk of the county 23 court shalfnot affect the validity thereof as to the parties there-24 to: Provided, further, That any such instrument shall be 25 accepted by the clerk for recordation at two times the legal fee 26 therefor.

Com. Sub. for S. B. No. 46] 3 Speaker of the House of Delegates. Clerk of the House of Delegates. CORRECTLY ENROLLED President of the Senate. Clerk of the Senate. The within is. Governor. Filed in the office of the Secretary of Store of West Virginia GEORGE W. STARP,

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